

### **III. Duties of Elections Officers Before Opening Polls**

#### **Summary**

This chapter describes the duties elections officers are to complete prior to the opening of the polls. Also included in this chapter are checklists of the various materials needed at each polling location and instructions in case these materials are missing or damaged.

The polling place shall be furnished with a sufficient number of places, booths, or compartments, at or in which voters may conveniently mark their ballots, so that they may be screened from the observation of others. Each place, compartment, or booth shall be so adjusted as to conceal from any observation the voter's marking of the ballot. (§ 14110.) The polling places shall be arranged so that neither the ballot containers nor the voting booths or compartments shall be hidden from the view of those present. (§ 14211.)

If, for any valid reason, the polling place designated for any precinct cannot be used, it is the responsibility of the elections official or, in the case of an emergency, the precinct board on the day of the election, to locate a sufficient polling place near to the original polling place and duly post a notice of the change at the former site. (§ 12281(b).) This provision does not apply to elections conducted using vote centers. (§ 12281(c).)

Eligibility to serve as an inspector or a precinct board member depends upon signing the required declaration of intention to fulfill the assigned duties. Signing shall take place in front of a witness and is as binding as an oath of office. (§ 12321(a)(2).)

The inspector's signed declaration should be returned to the elections official 15 days before election day, on the first day of service at a vote center, or prior to entering upon the performance of duties. (§ 12321(a)(1), (d).) The precinct board members will sign their declarations before entering upon the performance of duties. (§ 12321(b).)

Before every county-wide election, the county elections official will deliver to each precinct board various documents and supplies that must be present at the polling place. This will include at least one printed or electronic copy of the roster for that polling place, with canceled names lined out and with and any necessary supplements to bring the roster up to date. (§ 2189.) A complete list of necessary election supplies can be found starting on page 14.

For an election not conducted using vote centers, the elections official shall provide a sufficient number of official ballots for each precinct. Additional ballots will be provided for vote-by-mail or emergency purposes. (§§ 14102(a), (b), 14300.) Official ballots shall be delivered by the elections official in sealed packages and must be signed for by a precinct board member who will return the endorsed receipt to the elections official. (§§ 14103(a), 14104.) The procedure to use if the ballots do not arrive or are damaged upon arrival is found on page 18.

For an election conducted using vote centers, the elections official shall provide sufficient materials for voting and a sufficient amount of ballot stock to be used for printing ballots (§§ 14102(c), 14300(f).) Official ballots or ballot stock shall be delivered to the vote center in sealed packages and must be signed for by a precinct board member who will return the endorsed receipt to the elections official. (§§ 14103(b), 14104.) The procedure to use if the ballots and/or ballot stock do not arrive or are damaged upon arrival is found on page 18.

Election officers are required to post various materials in the polling place in clear view of those present. The essential materials are listed starting on page 18. Required information for the Roster of Registered Voters can be found starting on page 20. The roster may, however, be kept in the form of the index to the affidavits of registration for that precinct. If an index is used, it should provide ample space for the voter to sign his or her name. (§ 14109.) The roster may also be in the form of an electronic poll book. (§ 2550(a).) Any person may inspect the roster at any time while voting is in progress or while votes are being counted but such inspection must be done in a way that will not impede, interfere, or interrupt the normal process of voting. (§ 14223(b).)

## **1. Polling Place.**

### Change of Location of Polling Place

If, for any valid reason, the polling place designated for any precinct cannot be used, and this fact is known in sufficient time to allow a mailed notice to be received before the election, the elections official may designate another polling place and shall mail, to each voter in the precinct a notice showing this change. (§ 12281(a).) This provision does not apply to elections conducted using vote centers. (§ 12281(c).)

If the information is not known in sufficient time for a mailing, either the elections official or, in the case of an emergency, the precinct board on the day of election, shall designate another polling place as near the place first designated as possible, post notice on or near the place first designated, and conduct the election at the new location. (§ 12281(b).) This provision does not apply to elections conducted using vote centers. (§ 12281(c).)

### Restrictions

A candidate's residence shall not be designated as a polling place for an election at which that candidate's name will appear on the ballot. (§ 12287.)

A single-family residence shall not be designated as a polling place if elections officials determine that it has the registered address of a person who is required to register pursuant to the Sex Offender Registration Act. (Penal Code, § 290 et seq.) Elections officials shall, not more than 60 days prior to designating a single-family residence as a polling place, use the Megan's Law Internet Web site maintained by the Department of Justice to determine if the residence has the registered address of a sex offender. In accordance with subdivision (k) of Section 290.46 of the Penal Code, an elections official who is required to register as a sex offender shall be prohibited from accessing the Megan's Law public Internet Web site. (§ 12287.5.)

A place where the primary purpose of the establishment is the sale and dispensation of alcoholic beverages may not be used as a polling place. A polling place may not be connected by a door, window, or other opening with any place where any alcoholic beverage is sold or dispensed while the polls are open. (§ 12288.)

### Places, Booths, or Compartments

All officers required by law to designate polling places shall furnish the polling places with a sufficient number of places, booths, or compartments, at or in which voters may conveniently mark their ballots, so that they may be screened from the observation of others. Each place, compartment, or booth shall be so adjusted as to conceal from any observation the voter's marking of the ballot. The number of voting booths or compartments shall be determined by the officer conducting the election. (§ 14110.)

### Arrangement of Polling Place

The polling places shall be arranged so that neither the ballot containers nor the voting booths or compartments shall be hidden from the view of those present. (§ 14211.)

## **2. Identification of Polling Places and Precinct Board Members.**

The elections official shall, not less than one week before the election, *publish* the list of the polling places designated for each precinct. (§ 12105.)

Not less than a week before the election, the elections official shall *post* a list of all current polling places in each precinct and a list of precinct board members appointed by the 15<sup>th</sup> day before the election. (§ 12105.5.) This provision does not apply to elections conducted using vote centers. (§ 12105.5(d).)

### 3. Declarations Required of Precinct Board Members.

#### Declaration Required for Eligibility

No person is eligible to act as an election officer until the declaration required by Section 12321 (described below) has been signed. (§ 12320.)

The declaration of each election officer shall be signed in the presence of a witness and shall be as binding on the signer as would be an oath of office. (§ 12321(a)(2).)

#### Declaration of Inspector

Each inspector shall sign a declaration of intention to faithfully discharge the duties of inspector and shall return it to the elections official at least 15 days before election day or the first day of service at a vote center. (§ 12321(a)(1).) In lieu of signing and returning the declaration of the inspector, the county elections official may require the inspector to sign the declaration for an election and before entering upon the performance of these duties. (§ 12321(d).)

If the inspector fails or refuses to sign and file the declaration, the elections official shall appoint a substitute who shall make and file the application. (§ 12321(a)(1).)

The declaration of an inspector shall be in substantially the following form:

State of California )  
County of \_\_\_\_\_ ) ss.

I do hereby solemnly declare that I will support the Constitution of the United States and the Constitution of the State of California, and that I will to the best of my ability, faithfully discharge the duties of inspector for polling place or vote center \_\_\_\_\_ for the election to be held on \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signed in the presence of \_\_\_\_\_ (Signature) on \_\_\_\_\_, 20\_\_.  
(§ 12321(a)(3).)

#### Declaration of Non-Inspector Precinct Board Members

Before entering upon the performance of duties, each of the precinct board members, other than the inspector, shall sign a declaration of intention to faithfully discharge the duties of an election officer. The declaration shall be signed before any member of the precinct board. The form for each of the declarations shall be provided in the roster for the polling place. The declaration of the precinct board member shall be in substantially the following form:

State of California )  
County of \_\_\_\_\_ ) ss.

I do hereby solemnly declare that I will support the Constitution of the United States and the Constitution of the State of California, and that I will to the best of my ability, faithfully discharge the duties of precinct board member for polling place or vote center \_\_\_\_\_ for

the election to be held on \_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signed in the presence of \_\_\_\_\_ (Signature) on  
\_\_\_\_\_, 20\_\_.  
(§ 12321(b).)

The above declaration shall be as binding on the signer as would be an oath of office. (§ 12321(a)(2).)

#### Administration of Oaths

Any precinct board member may administer and certify oaths required to be administered during the progress of an election. This authorization shall include the power to give any type of oath required of a public employee. There shall be no fee or charge for administering an oath. (§ 12321(c).)

#### **4. Documentation Furnished by Elections Official to Precinct Board.**

##### Delivery of Roster

Before the first day of the opening of the polls for any election held throughout the county, the county elections official shall deliver to the precinct board in each precinct at least one printed or electronic copy of the roster for that polling place, with canceled names lined out or otherwise indicated and with necessary supplements to bring the roster up to date. (§ 2189.)

##### List of Vote-By-Mail Voters

Before the election the elections official shall send to the inspector of each precinct in his or her county or city a list of the voters in that precinct applying for and receiving a vote-by-mail voter's ballot. (§ 3013.)

##### List of Military or Overseas Voters

A military or overseas voter who is qualified pursuant to paragraph (1) of subdivision (b) of Section 300 may apply in person to the voter's elections official for permission to register after the closing date of registration under the following conditions:

- (1) The military or overseas voter is released from service after the closing date of registration for an election, returns to the county of his or her residence, and is not a registered voter. To register, the elector shall furnish documentary proof that he or she was released from service after the closing date of registration for the election.
- (2) The military or overseas voter is required to move under official active duty military orders after the closing date of registration. To register, the elector shall furnish a copy of his or her official military orders.

(§ 3108(a).)

On or before the day of election, or the first day a vote center opens, the elections official shall deliver to the precinct board a list of military or overseas voters who registered under this section. (§ 3108(b).)

#### **5. Election Supplies.**

##### Election Supplies Furnished by Elections Official

Pursuant to Section 14105, the elections official shall furnish to each polling place all of the following:

- (a) At least one accessible copy of the voter list.
- (b) Necessary printed blanks for the roster, tally sheets, voter list, declarations, and returns.
- (c) Not fewer than six nor more than 12 instruction cards to each polling place for the guidance of voters in obtaining and marking their ballots. On each card shall be printed necessary instructions and the provisions of Sections 14225, 14279, 14280, 14287, 14291, 14295, 15271, 15272, 15273, 15276, 15277, 15278, 18370, 18380, 18403, 18563, and 18569.
- (d) A digest of the election laws with any further instructions the county elections official may desire to make.
- (e) An American flag of sufficient size to adequately assist the voter in identifying the polling place. The flag is to be erected at or near the polling place.
- (f) A ballot container, properly marked on the outside indicating its contents. If it is necessary to supply additional ballot containers, these additional containers shall also be marked on the outside indicating their contents.
- (g) At least one copy of the certified write-in list, if applicable.
- (h) A sufficient number of cards to each polling place containing the telephone number of the office to which a voter may call to obtain information about his or her polling place. The card shall state that the voter may call collect during polling hours.
- (i) An identifying badge or insignia for each member of the precinct board. The member shall print his or her name on the badge or insignia, and shall wear the badge or insignia at all times in the performance of duties, so as to be readily identified as a member of the precinct board by all persons entering the polling place.
- (j) Facsimile copies of the ballot containing ballot measures and ballot instructions printed in Spanish or other languages as provided in Section 14201.
- (k) Sufficient copies of the notices to be posted on the voter list used at the polls. The notice shall read as follows: " This voter list shall not be marked in any manner except by a member of the precinct board acting pursuant to Section 14297. Any person who removes, tears, marks, or otherwise defaces this voter list with the intent to falsify or prevent others from readily ascertaining the name, address, or political affiliation of any voter, or the fact that a voter has or has not voted, is guilty of a misdemeanor."
- (l) A roster for each polling place in the form prescribed in Section 14107.
- (m) Printed copies of the Voter Bill of Rights, as supplied by the Secretary of State. The Voter Bill of Rights shall be conspicuously posted both inside and outside every polling place.
- (n) For a partisan primary election, printed copies of the posters or other materials described in Section 14105.2. The posters or other materials shall be conspicuously posted both inside and outside every polling place.

#### Additional Supplies

When a candidate for nomination or election to a partisan office appears on the ballot, posters or other printed materials containing the notice below shall be included in the precinct supplies. (§ 9083.5(a), (d).) The notice shall be conspicuously posted both inside and outside every polling place. (§ 14105.1.) The notice shall read substantially similar to the following:

#### PARTY-NOMINATED/PARTISAN OFFICES

Political parties may formally nominate candidates for party-nominated/partisan offices at the primary election. A nominated candidate will represent that party as its official candidate for the specific office at the general election and the ballot will reflect an official designation. The top vote-getter for each party at the primary election moves on to the general election. Parties also elect officers of county central committees at the primary election.

A voter can only vote in the primary election of the political party he or she has disclosed a preference for upon registering to vote. However, a political party may allow a person who has declined to disclose a party

preference to vote in that party's primary election.

(§ 9083.5(a).)

When a candidate for nomination or election to a voter-nominated office appears on the ballot, posters or other printed materials containing the notice below shall be included in the precinct supplies. (§ 9083.5(b), (d).) The notice shall be conspicuously posted both inside and outside every polling place. (§ 14105.1.) The notice shall read substantially similar to the following:

#### VOTER-NOMINATED OFFICES

Political parties are not entitled to formally nominate candidates for voter-nominated offices at the primary election. A candidate nominated for a voter-nominated office at the primary election is the nominee of the people and not the official nominee of any party at the general election. A candidate for nomination to a voter-nominated office shall have his or her party preference, or lack of party preference, stated on the ballot, but the party preference designation is selected solely by the candidate and is shown for the information of the voters only. It does not mean the candidate is nominated or endorsed by the party designated, or that there is an affiliation between the party and candidate, and no candidate nominated by the voters shall be deemed to be the officially nominated candidate of any political party. In the county voter information guide, parties may list the candidates for voter-nominated offices who have received the party's official endorsement.

Any voter may vote for any candidate for a voter-nominated office, if they meet the other qualifications required to vote for that office. The top two vote-getters at the primary election move on to the general election for the voter-nominated office even if both candidates have specified the same party preference designation. A party is not entitled to have a candidate with its party preference designation move on to the general election, unless the candidate is one of the two highest vote-getters at the primary election.

(§ 9083.5(b).)

When a candidate for nomination or election to a nonpartisan office appears on the ballot, other than judicial office, posters or other printed materials containing the notice below shall be included in the precinct supplies. (§ 9083.5(c), (d).) The notice shall be conspicuously posted both inside and outside every polling place. (§ 14105.1.) The notice shall read substantially similar to the following:

#### NONPARTISAN OFFICES

Political parties are not entitled to nominate candidates for nonpartisan offices at the primary election, and a candidate at the primary election is not the official nominee of any party for the specific office at the general election. A candidate for nomination to a nonpartisan office may not designate his or her party preference, or lack of party preference, on the ballot. The top two vote-getters at the primary election move on to the general election for the nonpartisan office.

(§ 9083.5(c).)

#### Voter Information Guides at Polling Places

Three copies of the state voter information guide, to be supplied by the Secretary of State, shall be kept at every polling place, while an election is in progress, so that they may be freely consulted by the voters. (§ 9094(c).)

## 6. Ballots.

### Sufficient Number of Ballots Provided to Precinct Boards (For elections not conducted using vote centers)

For each statewide election not conducted using vote centers, the elections official shall provide a sufficient number of official ballots in each precinct to reasonably meet the needs of the voters in that precinct on election day using the precinct's voter turnout history as the criterion, but in no case shall this number be less than 75% of registered voters in the precinct, and for vote-by-mail and emergency purposes shall provide such additional number of ballots that may be necessary. (§ 14102(a)(1).)

The number of party ballots to be furnished to any precinct for a primary election shall be computed from the number of voters registered in that precinct as intending to affiliate with a party, and the number of nonpartisan ballots to be furnished to any precinct shall be computed from the number of voters registered in that precinct without statement of intention to affiliate with any of the parties participating in the primary election. (§ 14102(a)(2).)

For all other elections, the elections official shall provide a sufficient number of official ballots in each precinct to reasonably meet the needs of the voters in that precinct on election day using the precinct's voter turnout history as the criterion, but in no case shall this number be less than 75% of the number of registered voters in the precinct, and for vote-by-mail and emergency purposes shall provide the additional number of ballots that may be necessary. (§ 14102(b).)

Pursuant to Section 14300(a), in the case of an election for a state or federal office, each polling place using a direct recording electronic voting system, as defined by Section 19271, the elections officials shall provide paper ballots equivalent to the following percentages:

- (1) For a statewide general election, no less than 10% of the registered voters in the polling place.
- (2) For a statewide direct primary election, for each partisan ballot form for which at least 10% of the registered voters in the polling place are eligible to request, no less than 5% of the registered voters in the precinct eligible to request that ballot form at the polling place. For nonpartisan voters, the total number of paper ballots among all ballot forms that they are eligible to request shall be no less than 5% of registered nonpartisan voters at the polling place.
- (3) For any other state or federal election contest, no less than 5% of registered voters at the polling place.
- (4) For purposes of this section, the number of registered voters shall be based on the registration on the 88th day prior to the day of the election.

Upon request, the precinct board shall provide a paper ballot to a voter, regardless of the availability of the direct recording electronic voting system, as long as supplies remain available. The paper ballots described in Section 14300 may consist of provisional ballots. Any vote cast on a provisional ballot subject to Section 14300 by an otherwise qualified voter shall be counted as a regular ballot and shall not be subject to the requirements of Section 14310. (§ 14300(c), (d), (e).)

### Sufficient Voting Materials and Ballot Stock Provided to Precinct Boards (For elections conducted using vote centers)

For each election conducted using vote centers, the elections official shall provide sufficient materials for voting. (§ 14102(c).) The elections official shall also provide a sufficient amount of ballot stock to be used for printing ballots in each vote center. (§ 14300(f).)

### Delivery of Blank Ballots to Precinct Boards

Before the opening of the polls at any election not conducted using vote centers, the elections official shall cause to be delivered to the precinct board in each precinct in which the election is to be held, the proper number of ballots of the kinds to be used in that precinct. The ballots shall be delivered in sealed packages with marks on the outside clearly designating the precinct or polling place for which they are intended, and the number of ballots

enclosed. (§ 14103(a).)

Before the opening of the polls at any election conducted using vote centers, the elections official shall cause ballots or ballot stock to be delivered in sealed packages indicating the number of ballots or the amount of ballot stock enclosed. (§ 14103(b).)

#### Ballot Receipt

The elections official shall prepare a receipt for each polling place, enumerating the packages and stating the date of delivery to the precinct board member. The precinct board member shall sign the receipt upon receipt of the packages. The signed receipt shall be returned to the elections official. Messengers may be employed to insure the safe and expeditious delivery of the ballots. (§ 14104.)

If the ballots or supplies do not arrive in time, the precinct board member present should immediately communicate with the elections official or other official from whom they should have been received.

#### Loss or Destruction of Ballots

In the case of the prevention of an election in any precinct by the loss or destruction of the ballots intended for that precinct, the inspector, or other precinct officer for that precinct, shall make an affidavit setting forth the fact, and transmit it to the Governor. (§ 13101(a).) This provision does not apply to elections conducted using vote centers. (§ 13101(b).)

### **7. Materials To Post.**

#### Only Those Materials Required by Law

Members of the precinct board shall not display, distribute, or make available at the polling place any materials other than those required pursuant to Division 14 of the Elections Code without the express approval of the county elections official. (§ 14105.5.)

#### Posting Voting Information

A member of each precinct board shall cause the following voting information to be publicly posted at each polling place:

- (a) A sample version of the ballot that will be used for the election.
- (b) Information regarding the date of the election and the hours during which polling places will be open.
- (c) Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot.
- (d) Instructions for mail-in registrants and first-time voters under Section 303(b) of the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.).
- (e) General information on voting rights under applicable federal and state laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated.
- (f) General information on federal and state laws regarding prohibitions on acts of fraud and misrepresentation as they pertain to elections.
- (g) Information regarding the languages other than English in which members of the precinct board can assist voters. The information shall be provided in all of the languages other than English spoken by the members.

(§ 14200.)



#### Posting Facsimile Copy of Ballot Measures and Instructions; Languages

In counties and precincts where the Secretary of State has determined that it is appropriate, the county elections official shall provide facsimile copies of the ballot with ballot measures and ballot instructions printed in Spanish, one of which shall be posted in a conspicuous location in the polling place and at least one of which shall be made available for voters at the polling place to use as a reference when casting a private ballot. Facsimile ballots shall also be printed in other languages and provided in the same manner if a significant and substantial need is found by the Secretary of State. A facsimile copy of the ballot available for voters to use in casting a private ballot shall be sufficiently distinct in appearance from a regular ballot to prevent voters from attempting to vote on the facsimile copy. (§ 14201(a).)

If the Secretary of State has determined that the number of voting-age residents in a precinct who are members of a single language minority and who lack sufficient skills in English to vote without assistance exceeds 20 percent of the voting-age residents in that precinct, the county elections official shall provide at least four facsimile copies of the ballot in the language of that language minority, one of which shall be posted in a conspicuous location in the polling place and at least three of which shall be made available for voters at the polling place to use as a reference when casting a private ballot. (§ 14201(b)(2).)

In polling places where facsimile copies of the ballot are necessary, members of the precinct boards shall be trained on the purpose and proper handling of the facsimile copies of the ballot and shall be prepared to inform voters of the existence of the facsimile copies of the ballot, as appropriate. (§ 14201(c)(1).)

If a voter requests a facsimile copy of a ballot that is available in his or her language of preference pursuant to Section 14201(a), a member of the precinct board shall provide the facsimile copy of the ballot to the voter. (§ 14201(c)(2).)

In polling places where facsimile copies of the ballot are necessary, a sign near the index of registration shall inform voters of the existence of the facsimile copies of the ballot. The sign shall be in English and in the language or languages of the facsimile copies available in that polling place. (§ 14201(c)(3).)

At least 14 days before an election, the county elections official shall provide information on the county elections Internet Web site identifying all polling places in the county and the languages of facsimile copies of the ballot that will be available to voters at each polling place. Explanatory information pertaining to the list of polling places, but not the list itself, shall be available in all languages in which the county provides facsimile copies of the ballot. (§ 14201(d).)

The county elections official shall include text in the county voter information guide that refers voters with language needs to the portion of the county elections Internet Web site containing the information specified in Section 14201(d). The text shall be in all languages in which the county provides facsimile copies of the ballot. (§ 14201(e).)

A county elections official shall not be required to provide facsimile copies of the ballot in a particular language if the county elections official is required to provide translated ballots in that language pursuant to Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.). (§ 14201(g)(1).)

In a polling place where a county elections official is required pursuant to Section 14201(a) to provide a facsimile copy of the ballot in a language other than English, the county elections official may instead provide voters with a ballot translated into that language. A county elections official who provides and publicizes translated ballots in the same manner as translated ballots provided and publicized pursuant to Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.), in lieu of providing facsimile copies of the ballot in any language required under Section 14201(a), need not comply with Section 14201(c), (d), and (e) as pertaining to that language. (§ 14201(g)(2).)

### Posting of the Voter List

If the election is not conducted using vote centers, before opening the polls, the precinct board shall post in separate, convenient places at or near the polling place, and of easy access to the voters, at least one printed copy of the voter list for that polling place. The copies of the voter list shall be by street address in numerical order. (§ 14202(a).)

If the election is conducted using vote centers, at each polling place the elections official or the precinct board shall provide access to the voter list. (§ 14202(b).)

### Copy of Voter List Must Remain Posted

The precinct board shall maintain at least one printed copy of the voter list posted during the whole time of voting. The copies of the voter list shall not be marked in any manner except by a member of the precinct board acting pursuant to Section 14294. (§ 14298(a).)

A member of the precinct board shall post a notice on each voter list that reads as follows: "This voter list shall not be marked in any manner except by a member of the precinct board acting pursuant to Section 14294. Any person who removes, tears, marks, or otherwise defaces this voter list with the intent to falsify or prevent others from readily ascertaining the name, address, or political preference of any voter, or the fact that a voter has or has not voted, is guilty of a misdemeanor." (§ 14298(b).)

If an electronic poll book is used, a notice shall be posted near the electronic poll book that reads as follows: "This roster shall not be marked in any manner except by a member of the precinct board acting pursuant to Section 14294. Any person who removes, tears, marks, or otherwise defaces this index with the intent to falsify or prevent others from readily ascertaining the name, address, or political preference of any voter, or the fact that a voter has or has not voted, is guilty of a misdemeanor." (§ 14298(c).)

## **8. Roster.**

### Roster of Registered Voters

The roster to be kept by each precinct board shall contain all of the following:

- (1) Space for the voter's signature.
- (2) The residence address of the voter.
- (3) At the heading of each page or signature area, the following words: "WARNING: It is a crime punishable by imprisonment in the state prison or in county jail for anyone to fraudulently vote, fraudulently attempt to vote, vote more than once, attempt to vote more than one, impersonate a voter, or attempt to impersonate a voter (Sec. 18560, Elections Code)."
- (4) Immediately below the final signature on the roster, the following statements:

(A) We hereby certify that all voters whose signatures appear hereinbefore in this roster voted this day excepting the following who, after signing the roster, failed to vote or were challenged and denied the right to vote.

No.	Name	No.	Name
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(B) We further certify that the number of voters who voted in this precinct at this election is \_\_\_\_, and that the above list of voters, less those who did not vote as enumerated, constitutes the roster of this precinct for this election.

We further certify that the total number of official ballots received, voted, rejected, spoiled and canceled, found in the ballot container and the number accounted for is as indicated on the ballot statement.

We further certify that the assisted voters list and challenge list show a complete list of all voters assisted or challenged.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Clerk                      \_\_\_\_\_ Inspector

All members of the precinct board shall sign this certificate. (§ 14107(a).)

When votes are counted at the precinct, all members of the board shall also sign the certificate of performance prescribed in Section 15280. (§ 14107(b).) (See page 48 for form of certificate of performance.)

**NOTE** - A distinction should be noted between the "roster" just mentioned and "tally sheet." The roster is to contain the signatures of the voters, the number thereof being certified to by the election officers, whereas the tally sheet is to contain the tally or count of the votes and a record thereof also signed by the elections officers. The roster is signed before the ballots are opened, the tally sheet after the ballots are opened and counted.

#### Fill in Blanks at Head of Roster

At the head of the roster, if not already stated, one of the officers shall designate the election and date thereof, and the number of the precinct. (See § 14107.)

#### Roster in the Form of Index to Affidavits of Registration

Notwithstanding Sections 14105 and 14107, the roster to be kept by each precinct board may be in the form of an index to the affidavits of registration for that precinct, in which case the index shall provide space of sufficient size to allow each voter to sign his or her name pursuant to Section 14216. (§ 14109.)

#### Roster in the Form of an Electronic Poll Book

For purposes of this section, "electronic poll book" means an electronic list of registered voters that may be transported to the polling location. An electronic poll book shall contain all of the following voter registration data:

- (1) Name.
- (2) Address.
- (3) Precinct.
- (4) Party preference.
- (5) Whether or not the voter has been issued a vote-by-mail ballot.
- (6) Whether or not the vote-by-mail ballot has been recorded as received by the elections official.

(§ 2550(a).)

#### Inspection of Roster

Any person may inspect the roster while voting is in progress and while votes are being counted. However, this shall not be done at a time or in a manner that will impede, interfere with, or interrupt the normal process of voting. (§ 14223(b).)